

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

EMPIRE FIRE AND MARINE INSURANCE)	
COMPANY, a corporation duly)	2:05-cv-00308-GEB-KJM
organized under the laws of the)	
State of Oklahoma, with principal)	
place of business in the State of)	<u>ORDER RE SETTLEMENT</u>
Nebraska,)	<u>AND DISPOSITION</u>
)	
Plaintiff,)	
)	
v.)	
)	
That's No Bull, a California)	
corporation dba Nu Star Motors;)	
Laura Partridge, individually)	
and as President of Laura Partridge)	
Family, Inc. dba Creative)	
Concepts; Laura Partridge Family,)	
Inc., a California corporation;)	
Jim Gilfillan, an individual;)	
and Mike Cozakas, an individual,)	
)	
Defendants.)	
)	

Plaintiff's counsel recently notified chambers by telephone that this case is settled and requested that its pending motion for summary judgment be withdrawn. Therefore, the parties have until 4:30 p.m. on November 30, 2005, to either file a document dismissing this action or a proposed order which could effect dismissal. See L.R. 16-160(b). Failure to respond by this deadline may be construed as

1 consent to dismissal of this action without prejudice and a dismissal
2 order may be filed. See L.R. 16-160(b) ("A failure to file
3 dispositional papers on the date prescribed by the Court may be
4 grounds for sanctions."). Further, Plaintiff's motion for summary
5 judgment scheduled to be heard November 21, 2005, is deemed withdrawn.

6 IT IS SO ORDERED.

7 Dated: November 9, 2005

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9 /s/ Garland E. Burrell, Jr.
10 GARLAND E. BURRELL, JR.
11 United States District Judge
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